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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/779,605	02/09/2001	Kazumi Miyamoto	01029	5732

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EXAMINER

PRASAD, CHANDRIKA

ART UNIT PAPER NUMBER

2839

DATE MAILED: 12/19/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/779,605

Applicant(s)

MIYAMOTO ET AL.

Examiner

Chandrika Prasad

Art Unit

2839

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 November 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 4 and 5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 4 and 5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 February 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 08/15/02 has been entered.

Drawing

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the followings must be clearly shown and identified by reference numerals or the feature(s) canceled from the claims 4-5. No new matter should be entered.

- A pair of spring plates with each portion (a base end connecting portion, an intermediate portion, a branch portion and a head end connecting portion) lying in one plane. Figures 2-3 show only the base end connecting portion, the intermediate portion and a section of the branch portion in one plane.
- The plane of the connecting spring plates.
- Branch portion into a U-shape at a halfway point. Figures 2-3 show only a portion of the branch portion bent at halfway point.
- A base portion.

- Extent of (1) a base end connecting portion, (2) an intermediate elongated flat portion, (3) a branch portion and (4) a head end connecting portion. Since all these portions are integral, it is not clear where these portions start and where do they end. This further makes it difficult to determine which is the halfway point of the branch portion.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 4-5 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The followings have not been described in the specification:

- A pair of spring plates with each portion (a base end connecting portion, an intermediate portion, a branch portion and a head end connecting portion) lying in one plane.
- The plane of the connecting spring plates.
- Branch portion into a U-shape at a halfway point.

- A base portion.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 4-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's admitted prior art (AAPA) in view of Ford and Cherian et al.

AAPA (Figures 3-4 of the instant invention) shows an electromagnetic sound generator with a pair of spring plates coated with nickel and having a base end connecting portion 24, an intermediate portion, a branch portion making an L-shape with the intermediate portion and extending into a head end connecting portion. But AAPA does not show (a) the branch portion of one spring plate extending away from the other plate, (b) the branch portion turned into an U-shape, (c) the head end connecting portion turned into an U-shape, (d) gold plating at the head end and the base end connecting portions, and (e) the base end connecting portion, the intermediate portion, branch portion and head end portion lying in one plane. The instant invention does not provide any reasons or problems to be solved by having these features. These features are well known in the art of electrical connections.

Ford (Figure 6) shows branch portion 176 of one terminal extending away from another terminal. It would have been obvious to one having ordinary skill in the art at the time of the instant invention to provide such a feature to the AAPA's branch portion

because this would facilitate non-interfering electrical connections as taught by Ford (see Column 10, lines 59-61).

Cherian (Figures 2-3) shows a terminal 32 with branch portion turned into a U-shaped portion (lower loop 98) at the halfway point and head portion (upper loop 96 and nose 94) turned into U-shape wherein the nose is plated with gold and one arm of loop 98 overlaps a base portion. Cherian further shows a base end connecting portion 108, an intermediate portion 106 making an L-shape with a branch portion 86, the branch portion extended into an U-shaped portion 98 and a head end connecting portion having an U-shaped section 96 and a nose 94, all lying in one plane. It would have been obvious to one having ordinary skill in the art at the time of the instant invention to provide these features to the AAPA's terminals because these would provide more flexible terminals with large deflective capabilities with reasonable load and stress as taught by Cherian. Furthermore, it would have been obvious to one having ordinary skill in the art at the time of the instant invention to provide gold plating of the AAPA's terminals because of gold's good conductive and non-corrosive properties, which is well known and shown by Cherian.

Response to Arguments

7. Applicant's arguments filed 8/15/02 and 11/18/02 have been fully considered but they are not persuasive and are moot in view of the new ground(s) of rejection. The instant invention does not provide any reasons or problems to be solved by having the branch portion of one spring plate extending away from the other plate, the branch portion turned into an U-shape, the head end connecting portion turned into an U-

shape, and gold plating at the head end and the base end connecting portions. These features are well known in the art of electrical connections. Ford provides a motivation for the branch portion of one terminal to extend away from the other terminal and Cherian shows the advantages for terminal portions having U-shapes and gold plating.

Contact Information

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chandrika Prasad at (703) 308-0977.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Feild, can be reached at (703) 308-2710. The fax number for this Group is (703) 872-9318 (general) and (703) 872-9319 for after-final.

Any inquiry of a general nature should be directed to the Group receptionist at (703) 308-1782.


Chandrika Prasad

December 17, 2002